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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,129	09/20/2000	Hideo Ando	197393US2S CONT	1905
22850	7590	11/02/2005		EXAMINER
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			BOCCIO, VINCENT F	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/666,129	ANDO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Vincent F. Boccio	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on RCE and Amendment on 10/14/05.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 20-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 20-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/20/2000</u> <u>10/14/05</u> ✓<br><i>vrs</i> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

***Response to Arguments***

1. Applicant's arguments filed with respect to amended claims 20-23, 10/14/05 have been fully considered but they are not persuasive.

The 101 rejection against claim 20, in view of being amended is dropped in view of amending the claim to include an apparatus employs the management information to access the stream data.

{A} In re page 7 applicant states, "All sector addresses in Fig. 5 relate to I pictures." And, "Thus all times codes in Fig. 2 do not relate to I pictures".

In response applicant has not proven this to be true by merely stating this is the case, wherein the table of Fig. 5 does, while Fig. 2 does not, the examiner deems all tables do, which relate to the trick operations of Fig. 11,

- wherein when  $M = N$ , no matter what table is used all I pictures are reproduced, in view of,
- wherein when  $M < N$ , then I pictures are reproduced skipping-ly, while when compared to  $M = N$ , it is deemed based on this comparison, all are identified and used.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim

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that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenihan et al. (US 6,169,843) in view of Hirabayashi et al. (US 6,002,834).

The examiner incorporates the last action against the claims, wherein as amended including the limitation of wherein the management data includes all the access pointed correspond to I pictures of MPEG, met by Hirabayashi Fig. 2, in reference to Fig. 11, to perform trick play with I frames ONLY, wherein in accord to  $M < N$ , some I frames are skipped, as is clear to the examiner, therefore, any table can be used which all identify all I frames to perform wherein  $M = N$  all I frames are used, while when  $M < N$ , I frames are skipped.

Col. 5, lines 60-, when  $M = N$  only the I picture is retrieved by the trick play table ...

Therefore, any table used all I pictures are used,

but, when  $M < N$ , I pictures are skipped with respect to any table again, as is clear in the comparison when I pictures are skipped, while when  $M = N$ , there is no skipping, as clearly indicated by Fig. 11.

**Contact Fax Information**

Any response to this action should be faxed to:

(571) 273-8300, for communication as intended for entry,  
this Central Fax Number as of 7/15/05

**Contact Information**

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent  
10/29/05

*Vincent F. Boccio*  
VINCENT BOCCIO  
PRIMARY EXAMINER